

vote in any election, state or federal, because of race, color, religion, or national origin may be prosecuted under 18 U.S.C. 242. A number of prosecutions have been had under these provisions.

* { The major defect in this statutory picture, however, has been the failure of Congress thus far to authorize specifically the Attorney General to invoke civil powers and remedies. Criminal prosecutions of course cannot be instituted until after the harm actually has been done yet no amount of criminal punishment can rectify the harm which the national interest suffers when citizens are illegally kept from the polls. Furthermore, criminal prosecutions are often unduly harsh in this peculiar field where the violators may be respected local officials. What is needed, and what the legislation sponsored by the Administration would authorize, is to lodge power in the Department of Justice to proceed in civil suits in which the problem can often be solved in advance of the election and without the necessity of imposing upon any official the stigma of criminal prosecution.

Let me now give you some examples of situations which have come before us in the Department in which we think the proposed legislation would have been of great assistance in protecting the right to vote.

First, let me refer to the situation which developed last year in Ouachita Parish, Louisiana.

✓ In March, 1956, certain members and officers of the Citizens Council of Ouachita Parish commenced an examination of the register of the voters of Ouachita Parish. Thereafter, they filed approximately 3,420 documents purporting to be affidavits but which were not sworn to before either the registrar or deputy registrar, as required by law. In each purported affidavit it was alleged that the affiant had examined the records on file with the registrar, that the registrant's name therein was believed to be illegally

